

REMARKS

I. General

Claims 1-26 were pending in the present application, and all of the pending claims are rejected in the current Office Action (mailed September 8, 2004). The outstanding issues raised in the current Office Action are:

- Claims 1-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,872,971 issued to Knapman et al (hereinafter "*Knapman*") in view of U.S. Patent No. 6,526,416 issued to Long (hereinafter "*Long*").

In response, Applicant respectfully traverses the outstanding claim rejections, and requests reconsideration and withdrawal thereof in light of the amendments and remarks presented herein.

II. Amendments

Claims 1, 15, and 23 are amended, claims 3, 25, and 26 are canceled without prejudice, and new claims 27-31 are added by this amendment. No new matter is added by these amendments and newly presented claims.

Independent claim 1 is amended herein to recite that the recited transaction is "for activation of a service". As claim 1 now recites the element originally presented in claim 3, claim 3 is canceled without prejudice.

Independent claim 15 is amended herein to recite that the recited transaction is "for service provisioning".

Independent claim 23 is amended herein to incorporate the elements originally presented in dependent claims 25 and 26. Thus, this amendment effectively rewrites dependent claim 26 in independent form, as independent claim 23. Claim 23 is therefore intended to be given the full scope (both literal and under the doctrine of equivalents) as originally afforded claim 26. In view of this amendment, dependent claims 25 and 26 are canceled without prejudice.

III. Rejection under 35 U.S.C. § 103(a)

To establish a prima facie case of obviousness, three basic criteria must be met. *See* M.P.E.P. § 2143. First, there must be some suggestion or motivation, either in the applied references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the applied references must teach or suggest all the claim limitations. Without conceding any other criteria, Applicant respectfully asserts that the rejection does not satisfy the third criteria.

A. Independent Claim 1

1. Combination of *Knapman* and *Long* does not teach or suggest all claim limitations

Independent claim 1 recites, in part, “one or more non-transactional resources; at least one component that defines one or more tasks executable by at least one of said one or more non-transactional resources”. The current Office Action asserts that *Knapman* teaches these elements of claim 1, *see* page 2 of the current Office Action. Applicant respectfully disagrees, as discussed below.

Knapman fails to address non-transactional resources. Rather, *Knapman* teaches a system that enables “operation requests from an application program which implements one transactional model to be translated to operations which are meaningful to a transaction processing manager which implements a different transactional model.” Col. 5, lines 29-34. *Knapman* recognizes that different transactional models exist, such as the CICS transactional model and the OTS transactional model, *see* Col. 3, lines 13-19. The operational mismatch between the different transactional models “currently prevents interoperation between data processing resources which implement the different models.” Col. 3, lines 20-22. *Knapman* notes, however, that organizations “increasingly need their application programs to operate across distributed heterogeneous networks, which necessitates interoperation between those data processing resources which implement different transactional models.” Col. 3, lines 34-38. Accordingly, *Knapman* recognizes that there is “a requirement for systems and methods which enable interoperation between computing resources which implement different transaction processing models.” Col. 4, lines 42-45.

In view of the above, the system of *Knapman* addresses use of transactional resources, rather than non-transactional resources. While *Knapman* addresses a technique for translating from a first transactional model to a different transactional model to enable interoperation of transactional resources of each model, *Knapman* fails to teach or suggest non-transactional resources in the manner recited in claim 1.

Thus, because the current Office Action relies on *Knapman* as teaching or suggesting the above elements of claim 1, the present rejection is improper as the Office Action has failed to establish a prima facie case of obviousness.

Although the present Office Action does not rely upon *Long* as teaching this element, *Long* appears to address utilizing non-transactional resources in performing transactional operations, *see e.g.*, Col. 1, lines 5-10; col. 2, lines 60-62; col. 3, lines 2-6; and col. 10, lines 55-61. However, as amended herein, claim 1 recites “resource manager operable to control execution of said one or more tasks defined by said at least one component as a transaction for activation of a service” (emphasis added). *Long* fails to teach or suggest controlling execution of defined tasks by non-transactional resources for activating a service.

In view of the above, the applied combination of *Knapman* and *Long* fails to teach or suggest all elements of claim 1, and thus claim 1 is not obvious under 35 U.S.C. § 103(a) over this combination.

B. Independent Claim 15

Independent claim 15 recites, in part, “at least one component defining one or more tasks executable by at least one of said one or more non-transactional resources”. The current Office Action rejects claim 15 “based on the same rejection for claim 1”. Thus, as discussed above with claim 1, the Office Action relies on *Knapman* as teaching the above element. As further discussed above with claim 1, *Knapman* fails to teach or suggest one or more non-transactional resources, and thus also fails to teach or suggest at least one component defining one or more tasks executable by at least one of the non-transactional resource(s).

Thus, because the current Office Action relies on *Knapman* as teaching or suggesting the above element of claim 15, the present rejection is improper as the Office Action has failed to establish a prima facie case of obviousness.

While *Long* appears to address utilizing non-transactional resources in performing transactional operations, *see e.g.*, Col. 1, lines 5-10; col. 2, lines 60-62; col. 3, lines 2-6; and col. 10, lines 55-61, *Long* fails to teach or suggest “said resource manager controlling execution of said at least one component to perform said plurality of tasks as a transaction for service provisioning” (emphasis added), as recited by claim 15 as amended herein. While *Long* teaches a resource manager, *Long* does not teach controlling execution of a plurality of tasks by a non-transactional resource as a transaction “for service provisioning”.

In view of the above, the applied combination of *Knapman* and *Long* fails to teach or suggest all elements of claim 15, and thus claim 15 is not obvious under 35 U.S.C. § 103(a) over this combination.

C. Independent Claim 23

Independent claim 23, as amended herein, recites, in part, “code for controlling one or more non-transactional resources to perform said plurality of tasks as a transaction, wherein said code for controlling one or more non-transactional resources includes code for invoking performance of a task by said one or more non-transactional resources, and wherein said code for invoking performance of a task includes code for calling a function defined by a plugin component that is communicatively coupled to said one or more non-transactional resources” (emphasis added). The combination of *Knapman* and *Long* fails to teach or suggest at least the above element of claim 23. As described with claim 1 above, *Knapman* does not address non-transactional resources. While *Long* addresses non-transactional resources, *Long* fails to teach or suggest calling a function defined by a plugin component that is communicatively coupled to the non-transactional resources for invoking performance of a task by the non-transactional resources.

In view of the above, the applied combination of *Knapman* and *Long* fails to teach or suggest all elements of claim 23, and thus claim 23 is not obvious under 35 U.S.C. § 103(a) over this combination.

D. Dependent Claims 2, 4-14, 16-22, and 24

Claims 3, 25, and 26 are canceled without prejudice herein. Thus, dependent claims 2, 4-14, 16-22, and 24 stand rejected as unpatentable under 35 U.S.C. § 103(a) over the combination of *Knapman* and *Long*. In view of the above, Applicant respectfully submits that independent claims 1, 15, and 23 are not unpatentable under 35 U.S.C. § 103(a) over the combination of *Knapman* and *Long*. Further, each of dependent claims 2, 4-14, 16-22, and 24 depend either directly or indirectly from one of independent claims 1, 15, and 23, and thus inherit all limitations of the respective independent claim from which they depend. It is respectfully submitted that dependent claims 2, 4-14, 16-22, and 24 are allowable not only because of their dependency from their respective independent claims for the reasons discussed above, but also in view of their novel claim features (which both narrow the scope of the particular claims and compel a broader interpretation of the respective base claim from which they depend).

IV. Newly Added Claims 27-31

New claims 27-31 are presented herein, of which claims 27 and 29 are independent.

Claim 27 recites:

A system comprising:
non-transactional resources for providing a plurality of different services;
a plugin for each of said plurality of different services that defines one or more tasks for activating the respective service; and
resource manager operable to control execution of said plugins to selectively activate multiple ones of the plurality of different services as a transaction.

Claim 29 recites:

A system comprising:
at least one non-transactional resource for providing at least one service associated with a web hosting service;
a plugin for said at least one non-transactional resource that defines one or more tasks for activating the at least one associated service for a given web hosting service; and
resource manager operable, when activating said given web hosting service, to control execution of said plugin to activate said at least one

associated service as a transaction with activating said given web hosting service.

The combination of *Knapman* and *Long* fails to teach or suggest every element of the above claims. As such, independent claims 27 and 29 are not obvious under 35 U.S.C. § 103(a) over the combination of *Knapman* and *Long*.

Further, each of dependent claims 28 and 30-31 depend either directly or indirectly from one of independent claims 27 and 29, and thus inherit all limitations of the respective independent claim from which they depend. It is respectfully submitted that dependent claims 28 and 30-31 are allowable based at least on their dependency from their respective independent claims.

V. Conclusion

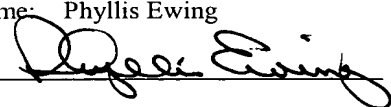
In view of the above, Applicant believes the pending application is in condition for allowance.

The required fee for this response is enclosed. If any additional fee is due, please charge Deposit Account No. 08-025, under Order No. 10012815-1 from which the undersigned is authorized to draw.

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Label No. EV 482740316US in an envelope addressed to: M/S Amendment, Commissioner for Patents, Alexandria, VA 22313.

Date of Deposit: November 12, 2004

Typed Name: Phyllis Ewing

Signature: 

Respectfully submitted,

By: 

Ledy C. Bishop

Attorney/Agent for Applicant(s)

Reg. No. 44,034

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Telephone No. (214) 855-8007